



WEB COPY

W.P.No.19747 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.19747 of 2023

T.Kumaresan

... Petitioner

Vs.

1.The District Registrar (Administration),
Chennai Central Registration District,
268, Bharathi Salai,
Express Estate,
Royapettah,
Chennai – 600 014.

2.The Sub Registrar,
Kodambakkam Sub-Registrar Office,
No.63, Jawaharlal Nehru Salai,
100 ft Road, Arumbakkam,
Chennai – 600 106.

3.The Inspector General of Registration,
No.100, Santhome High Road,
Pattinapakkam,
Chennai – 600 028.

4.Mrs.K.Ranjini

5.Mr.K.Loganathan



6.Mr.K.Prem Anandakumar

7.Mrs.K.Gayathri

8.Mr.Eriki Chandramouli

9.Mrs.Eriki Jayapradha

... Respondents

Prayer: Writ Petition is filed under Article 227 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to conduct enquiry on the complaint petition dated 02.05.2023 presented under Section 77-A of the Indian Registration Act, 1908 and take appropriate action in accordance with the scheme of the Indian Registration Act, 1908.

For Petitioner

: Mr.R.Natarajan

For R1 to R3

: Mr.E.Sundaram,
Government Advocate

ORDER

The writ petition has been filed for directing the 1st respondent to conduct enquiry on the complaint petition dated 02.05.2023 presented under Section 77-A of the Indian Registration Act, 1908 in accordance with the provisions of the Indian Registration Act, 1908.



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2. The issues raised in the present writ petition were adjudicated by this Court in a batch of writ petitions in ***W.P.No.4192 of 2018 & etc.***, batch, and a judgment was delivered on ***15.06.2023*** and the relevant paragraphs of the judgment are extracted hereunder:

“ 33. In view of the facts and circumstances, the following orders are passed:

(i) In respect of the complaints pending before the District Registrars concerned and the appeals pending before the respective Appellate Authorities, the Inspector General of Registration shall direct all the authorities to follow Circular No.1/2023 dated 10.06.2023 strictly for the purpose of disposal of the complaints and the appeals in a consistent manner;

(ii) The Inspector General of Registration is directed to incorporate the further clarifications as stated in this order and issue a fresh Circular within a period of two weeks from the date of receipt of a copy of this order;



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(iii) *The respondents are directed to relegate the parties to approach Civil Court of Law, in the event of disputed facts regarding civil rights exist between the parties.*

(iv) *In the event of violation of the guidelines issued by the Inspector General of Registration or the directions issued by this Court or any other lapses, negligence or dereliction of duty is found while performing the duties by the authorities, departmental disciplinary proceedings are to be initiated under the relevant Service Rules.*

(v) *The Inspector General of Registration is directed to conduct periodical Reviews as warranted under the Rules of Public Administration.*



3. In view of the fact that the case of the petitioner is also similar to that of the cases (cited *supra*), this writ petition stands disposed of.
No costs.

05.07.2023

skr

Index : Yes

Speaking order

Neutral Citation : Yes

To

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S.M.SUBRAMANIAM, J.

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